NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

No. 95-56664
D.C. NO. CV-95-004393-GHK(EX)

CHARLIE SHEPHARD,
Plaintiff-Appellant

VERSUS

PROVIDENT LIFE & ACCIDENT INSURANCE CO., MEMORANDUM*
Defendant-Appellee

Appeal from the United States District Court
For the Central District of California
George H. King, Magistrate Judge, Presiding

Submitted June 11, 1996**

Before: CANBY, NOONAN, and LEAVY,
Circuit Judges

Charlie Shephard appeals pro se the district court's summary judgment in favor of Provident Life & Accident Insurance Company in Shephard's diversi-

ty action alleging breach of contract, breach of the implied covenant of good faith and fair dealing, and fraud arising out of Provident's delay in paying two dental claims. We have jurisdiction pursuant to 28 U.S.C. S 1291. We review de novo, Barnett v. Centori, 31 F.3d 813, 815 (9th Cir. 1995), and we affirm for the reasons stated by the district court.

AFFIRM.

* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without oral argument. FED. R. App. P. 34(a); 9th Cir. R. 34-4.